

### **REMARKS/ARGUMENTS**

Applicants respectfully request reconsideration of the present application, withdrawal of the previously presented rejections, and formal notification of allowance of all pending claims in view of the preceding amendments and the following remarks.

#### **I. Status of Claims**

This Amendment is filed in response to the Office Action mailed March 29, 2010. In the Office Action, Claims 1 and 3-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. The Office Action also rejected Claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 4,310,479 to Ooms et al. ("*Ooms*"). These rejections are addressed below.

Applicants appreciate the thorough examination of the application by the Examiner. However, Applicants respectfully submit that all of the pending claims are allowable in light of the above amendments and the following arguments. For the Examiner's reference, Applicants have amended Claims 1-8 and added new Claim 10, thereby leaving Claims 1-10 pending in the application.

#### **II. Rejections under 35 U.S.C. § 112**

With regard to the rejection of Claims 1 and 3-6 under 35 U.S.C. § 112, second paragraph, the Examiner perceived indefiniteness for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. To eliminate this concern, Applicants have amended Claims 5 and 6 to replace the term "of the Mazzoni type" with a definite limitation that the extruder be "a Mazzoni extruder." Similarly, Applicants have amended Claim 4 to replace the term "a Sigma G. Mazzoni type" with a definite limitation that the mixer be "a Sigma G. Mazzoni mixer." Applicants further submit that the term "Trafila" as used in Claims 1 and 3 is a technical term commonly known and used in the art to refer to a machine that draws extruded masses through a plate having one or more orifices so as to create

distinct pieces, which are subsequently cut as necessary. In support of this assertion, Applicants submit herewith a copy of page 668 of the New English and Italian Pronouncing and Explanatory Dictionary, as digitized by Google.<sup>1</sup> Applicants respectfully submit that, in light of this evidence and the above-noted amendments, this rejection of Claims 1 and 3-6 have been overcome. Therefore, Applicants respectfully request that the Examiner withdraw this rejection of Claims 1 and 3-6 and issue a Notice of Allowance.

### III. Rejection of Independent Claim 1

With regard to the rejection of independent Claim 1 under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being obvious in view of *Ooms*, Applicants respectfully disagree. In particular, Applicants respectfully assert that independent Claim 1 is not anticipated or rendered obvious by *Harger* because the reference fails to disclose or teach at least “introducing the mixture . . . into a final Trafila operating in an open atmospheric environment” and “adding a translucent phase by means of a conveyor belt that acts as a dosing equipment.”

Applicant notes that *Ooms* discloses a process for producing transparent variegated soap bars. The process includes mechanically working soap material to form two or more separate soap masses, at least one of which is transparent, extruding the soap masses to form noodles, commingling the soap noodles in a plodder preferably having a vacuum chamber, and forming soap bars from the extruded and commingled soap. (*See* col. 2, lines 35-50). In particular, the soap masses are generally prepared through conventional milling and plodding steps. (*See* col. 3, lines 38-46). Further, each of the formed soap masses are separately extruded by a preliminary plodder, thereby forming the soap noodles. (*See* col. 3, lines 59-63). Commingling of the noodles requires a pressure of from about 63 to about 74 cm. of mercury, which is preferably supplied by feeding the commingled noodles from conveyor belts (4, 13) and through a vacuum

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<sup>1</sup> New English and Italian Pronouncing and Explanatory Dictionary, as digitized by Google, and available at, for example, [http://books.google.com/books?id=6JkQAAAAYAAJ&printsec=frontcover&dq=new+english+and+italian+pronouncing&source=bl&ots=8bTJn0qEBD&sig=BfNqkVY6yi8Nof\\_Rn2ZFijfxo&hl=en&ei=gkeiTI\\_7IcOcnAf84dDEAw&sa=X&oi=book\\_result&ct=result&resnum=6&ved=0CC0Q6AEwBQ#v=onepage&q&f=false](http://books.google.com/books?id=6JkQAAAAYAAJ&printsec=frontcover&dq=new+english+and+italian+pronouncing&source=bl&ots=8bTJn0qEBD&sig=BfNqkVY6yi8Nof_Rn2ZFijfxo&hl=en&ei=gkeiTI_7IcOcnAf84dDEAw&sa=X&oi=book_result&ct=result&resnum=6&ved=0CC0Q6AEwBQ#v=onepage&q&f=false).

chamber in advance of a final plodder. (See col. 3, line 66 – col. 4, line 3). The vacuum chamber prevents improper fusing of the soap noodles in advance of the final plodder. (See col. 4, lines 4-5).

Applicants respectfully assert that the process of independent Claim 1, as amended, involves introducing a soap mixture into a final Trafila operating in an open atmospheric environment. This configuration is enabled because the process of Claim 1, as amended, introduces a soap mixture to its final Trafila, as opposed to soap noodles, which may be prone to improper fusing. As a result, this configuration permits the process of Claim 1 to dispense with the use of additional components, such as, for example vacuum chambers, that may require costly maintenance or repair after extended operation. In contrast, the final plodder of *Ooms* does not operate in an open atmospheric environment, but rather it operates within a sealed and controlled vacuum chamber. Further, *Ooms* discloses and teaches that such a vacuum chamber is preferable because it prevents the formed soap noodles from improperly fusing in advance of the final plodder. In other words, *Ooms* neither discloses nor teaches a process lacking any sort of vacuum chamber, as found in independent Claim 1, as amended.

Further, Applicants respectfully assert that the process of independent Claim 1 involves adding a translucent phase by means of a conveyor belt that acts as a dosing equipment. This configuration enables the process of Claim 1 to introduce a precise dose of the translucent phase in order to achieve a desired consistency and appearance of its soap mixture. In contrast, none of the conveyor belts (4, 13) of *Ooms* function as a dosing equipment, but rather they merely appear to passively transport the soap noodles, whether translucent or opaque in nature, toward the final plodder. In other words, neither of the conveyor belts (4, 13) of *Ooms* is controllable for purposes of tweaking a desired dosage of the translucent phase, as found in Claim 1. To further clarify this distinction, Applicants have added new dependent Claim 10, which requires that the conveyor belt of Claim 1 be operated at a controlled rate, for a controlled time to achieve a desired consistency of the obtained soap mixture.

Thus, for at least these reasons, Applicants respectfully assert that independent Claim 1 provides a patentable distinction over *Ooms*. Accordingly, Applicants respectfully request that the Examiner withdraw the current rejection of this claim and issue a Notice of Allowance.

#### **IV. Rejections of Dependent Claims 2-9**

The Office Action dated March 29, 2010 also rejected Claims 2-9 as being unpatentable over *Ooms*. The patentability of independent Claim 1, from which Claims 2-9 depend, has been argued as set forth above and thus Applicants will not take this opportunity to argue the merits of the rejections of these dependent claims. However, Applicants do not concede that dependent Claims 2-9 are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

#### **V. New Dependent Claim 10**

Applicants have added new dependent Claim 10 to further claim various embodiments of the present invention. No new matter has been added via these claims. Applicants point to at least page 5, paragraph [0103] of the specification as support for the limitations added via this claim. As such, Applicants submit that new Claim 10 is patentable over *Ooms* for at least the reasons set forth above with respect to independent Claim 1, from which it depends. Thus, Applicants respectfully request consideration and allowance of this new claim.

#### **VI. Conclusion**

In view of at least the foregoing amendments and remarks, Applicants submit that the pending claims are now in condition for allowance. Applicants respectfully request that the claims be allowed to issue. If the Examiner wishes to discuss the application or the remarks herein, the Examiner is urged to contact the undersigned by telephone.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Appl. No.: 10/599,238  
Amdt. dated September 29, 2010  
Reply to Office Action of March 29, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Lightner", with a long horizontal flourish extending to the right.

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**ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON September 29, 2010.**

- Traditoraccio, *sm.* an infamous traitor  
 Traditore, -trice, *smf.* a betrayer, traitor, traitress  
 Traditorello, -ella, *smf.* a little traitor  
 Traditorescamente, *adv.* treacherously  
 Traditoresco, -a *adj.* traitor-like, treacherous, perfidious  
 Tradizionale, *adj.* traditional  
 Tradizione, *sf.* tradition  
 Tradice, *adj.* (ant.) very soft, sweet  
 Tradotto, -a, *adj.* translated; translocated  
 Traduttore, *sm.* v. Traditore  
 Traducibile, *adj.* translatable, that can be translated  
 Tradurre, *va.* 2. (traduco, *pass.* tradussi, *part.* tradotto) to translate; translocate, transfer, to translate (into another tongue)  
 Traduttore (traduttore), *sm.* a translator  
 Traduzione, *sf.* a translation, version  
 Traente, *adj.* attractive, that attracts, draws; blows; the drawer of a bill of exchange  
 Traenza, *sf.* attraction, seduction, charm  
 Trarre, *va.* 2. *irr.* to draw, pull; v. Tirare  
 Trafelamento, *sm.* great fatigue, weariness  
 Trafelare, *vn.* 1. to be out of breath; — di sete, to be dying with thirst  
 Trafelato, -a, *adj.* out of breath, wearied out  
 Trafelone, *sm.* v. Affannone, affaccendone  
 Trafesso, -a, *adj.* cleft to two, parted, split  
 Trafficante, *adj.* trading, trafficking, negotiating  
 Trafficare, *van.* 1. to trade, traffic, negotiate; to have the management of (anything)  
 Trafficato, -a, *adj.* traded, negotiated  
 Traffcatore, *sm.* a merchant, a trader  
 Traffico, *sm.* traffic, business, trade, commerce  
 Trafiere, *sm.* v. Pugnale  
 Trafiggente, *adj.* piercing, sharp-pointed  
 Trafiggere, *va.* 2. (trafiggo, *pass.* trafigsi; *part.* trafigito) to transpierce, run through; trafiggere uno, to run a person through  
 Trafiggimento, *sm.* trafiggitura, *sf.* a wound, hurt  
 Trafiggitore, -trice, *smf.* that pierces through  
 Trafila, *sf.* wire-drawing plate, machine  
 Trafilare, *va.* 1. to wire-draw  
 Trafilato, -a, *adj.* pierced, wounded, stung  
 Trafilata, trafilettura, *sf.* a wound, puncture  
 Trafilativo, -a, *adj.* piercing, grievous  
 Trafilto, -a, *adj.* pierced, transpierced, run through, grieved to the heart, stung  
 Trafilettura, *sf.* a wound, stinging, puncture  
 Trafoglio, *sm.* (bot.) trifolium (clover)  
 Trafoglioso, -a, *adj.* full of trifolium  
 Traforare, *va.* 1. to pierce through, perforate, bore; to make a hole or tunnel through  
 Traforato, -a, *adj.* pierced through, traversed  
 Traforelleria, *sf.* Traforelleria (rascal)  
 Traforello, traforello, *sm.* a thief, cheat  
 Traforo, *sm.* a kind of openwork lace; a hole, hiding place, nook  
 Trafreddo, -a, *adj.* (ant.) extremely cold  
 Trafugamento, *sm.* a carrying off  
 Trafugare, *va.* 1. to carry off, run away with; — si, to run away, elope, trafugare una damigella, to run away with, or carry off a young lady  
 Trafugato, -a, *adj.* carried off  
 Trafuggire, *vn.* 3. v. Fuggire  
 Trafuggitore, *sm.* deserter, runaway, fugitive  
 Trafugone, *sm.* a thing carried off by stealth  
 Trafurelleria, *sf.* roguery, knavery, deceit  
 Trafurello, *sm.* a little thief, rogue, knave  
 Trafusola, -olo, *sfm.* skein (of silk), shibbole  
 Tragacanta, *sf.* gum dragon  
 Tragédia, *sf.* a tragedy; a mournful event  
 Tragediante, *sm.* a tragic poet  
 Tragediare, *va.* 1. to write tragedies  
 Tragediuccia, *sf.* a little tragedy  
 Tragedo, *sm.* a writer of tragedies, tragedian  
 Tragedo, -a, *adj.* tragical, mournful, dreadful  
 Tragettare, *vn.* 1. to pass over: tragettare un fiume, to pass or cross over a river; *va.* to toss up and down, throw here and there, to jog, abake, nudge  
 Tragettatore, *sm.* a sleight of hand man, juggler  
 Tragetto, *sm.* a cross-road, cross path; passage  
 Traghettare, *va.* 1. to cross over, to pass from one place to another; *va.* to transport, carry over, convey, to carry, bring or help over  
 Traghetto, *sm.* a cross road; passing over, passage of a river, etc.  
 Tragicamente, *adv.* tragically, wofully  
 Tragico, -a, *adj.* tragical; — *sm.* a tragic poet  
 Tragicomédia, *sf.* a tragi-comedy  
 Tragicómico, -a, *adj.* tragi-comic  
 Tragigare, *va.* 1. not to agree, to be at variance  
 Tragiovante, *adj.* extremely useful  
 Tragittare, *van.* 1. to pass over, toss, dart  
 Tragittatore, *sm.* archer, Bowman, slinger  
 Tragitto, *sm.* a cross-road, a crossing over, a passage, voyage, journey, trip; il tragitto d'Europa in America, the passage from Europe to America  
 Tragliato, -a, *adj.* very just, most just  
 Traglorioso, -a, *adj.* most glorious, noble  
 Tragrande, *adj.* very great, extremely great  
 Traguardare, *va.* 1. to level, try with a level, to aim, peep, see indistinctly, foresee  
 Traguardo, *sm.* an optical level, a gunner's level  
 Traimento, *sm.* the act of drawing, attracting  
 Trainante, *adj.* dragging along, trailing  
 Traina, *sm.* towing, tow; dragging; alla traina, in tow  
 Trainare, *va.* 1. to drag, haul, trail along  
 Trainato, -a, *adj.* dragged, hauled, trailed along  
 Traino, *sm.* a railway train, a train of wagons, a dray; a wagon load, a baggage wagon, train, carriage; a sledge, train, bag-

Fate, méte, blte, note, tûbe, - fâ, mèi, blù, nôt, tûb; - fâr, pique, <